

REMARKS/ ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claims 1 and 16 have been amended without adding any new matter. Applicants respectfully request the Examiner to enter the amendments.

35 U.S.C. § 102(a) Rejections

Examiner rejected claims 1-25 under 35 U.S.C. §102(a) as being anticipated by Mattaway et al. (U.S. 6,226,678; hereinafter, "Mattaway"). Applicants respectfully traverse the rejections.

Specifically, claim 1 as amended includes the limitation, or a limitation similar thereto, of:

providing a connection between a first process and a second process;  
dynamically matching a first **type** of the first process and a second **type** of the second process;  
using a library to dynamically match the first **type** of the first process and the second **type** of the second process; and  
utilizing a flow control provided by a unit. (Applicants' Independent Claim 1).

Mattaway, however, does not disclose or suggest the limitations above, as set forth by applicants. Rather, Mattaway is limited to disclosing a dynamic link library that provides access to the Webphone configuration information, personal phone directory, etc. (Mattaway, col. 15, lines 51-54). According to

Mattaway, the global server disclosed merely performs a matching of the email address and Internet Protocol address of WebPhone client (Mattaway, col. 18, lines 26-36). Mattaway does not disclose dynamic type matching. Therefore, Mattaway fails to disclose every limitation set forth in claim 1 as amended. For at least this reason, Mattaway fails to anticipate claim 1. Applicants respectfully request withdrawal of the rejection.

For at least the reason discussed above with respect to claim 1, Mattaway fails to anticipate claim 16 as amended. Applicants respectfully request withdrawal of the rejection.

Claims 2-15 and claims 17-25 depend, directly or indirectly, from claims 1 and 16, respectively. For at least the reason discussed above with respect to claims 1 and 16, claims 2-15 and claims 17-25 are not anticipated by Mattaway. Withdrawal of the rejection is respectfully requested.

In addition to, or as an alternative to, the above reason, Mattaway does not anticipate claim 9 for the following reason. Claim 9 sets forth that “the flow control backs up information at the flow origin” (Applicants’ dependent claim 9). In contrast, Mattaway fails to disclose, suggest, or imply such a limitation. The passage of Mattaway relied upon by the Examiner sets forth:

First processing unit 12 generates an E-mail signal, including a session number and a first IP address corresponding to a first processing unit in step 76. First processing unit 12 transmits the E-mail signal as a <ConnectRequest> signal to the Internet 24 in Step 78. The E-mail signal is delivered through the Internet 24 using a mail server 28 to the second processing unit 22 in step 80. **Second processing unit 22 extracts the**

**session number and the first IP address from the E-mail signal in step 82 and transmits or sends the session number and a second IP address corresponding to the second processing unit 22 back to the first processing unit 12 through the Internet 24, in step 84.** First processing unit 12 verifies the session number received from the second processing unit 22 in step 86, and establishes a point-to-point Internet communication link between the first processing unit 12 and second processing unit 22 using the first and second IP addresses in step 88. (Mattaway, col. 12, lines 18-35).

According to Mattaway, the second processing unit 22 merely extracts the session number from the E-mail signal and sends the session number with the second processing unit's IP address back to the first processing unit 12. *Sending back* the session number extracted to the sender processing unit is distinct and separate from *backing up* information at the flow origin. Mattaway does not disclose a flow control that **backs up information at the flow origin**. Therefore, Mattaway does not anticipate claim 9 for at least this reason. Withdrawal of the rejection is respectfully requested.

Furthermore, Mattaway does not anticipate claim 10 for at least the following reason. Claim 10 sets forth that "the flow control **prevents an overflow of information to a flow recipient**" (Applicants' dependent claim 10). In the Office Action, the Examiner argued that the disclosure in Mattaway on the transmission of <INFO ABORT> packet to prevent the transmission of any information packet anticipates the limitation of claim 10 as recited above. Applicants respectfully disagree with the Examiner. According to Mattaway, the transmission of the <INFO ABORT> packet merely causes the process to return to an idle state (Mattaway, col. 19, lines 34-40). Mattaway does not disclose preventing an overflow of information to a flow recipient. Therefore, claim 10 is

patentably distinguishable from Mattaway. Withdrawal of the rejection is respectfully requested.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 26-42 under 35 U.S.C. § 103(a) as being unpatentable over Mattaway in view of "Microsoft Computer Dictionary", Fifth Edition, published in 2000 (hereinafter, "the Dictionary"). Applicants respectfully traverse the rejections.

Specifically, claim 26 includes the limitation, or a limitation similar thereto, of:

providing a connection between a first process and a second process;  
dynamically matching the first process and the second process;  
using a library to dynamically match the first process and the second process; and  
asynchronously connecting the first process and the second process. (Applicants' Independent Claim 26).

In the Office Action, the Examiner admitted that Mattaway does not disclose asynchronous connection. However, the Examiner cited the alleged definition of asynchronous connection in the Dictionary and argued that it would have been obvious for one of ordinary skill in the art to combine Mattaway with the definition of "asynchronous connection" in the Dictionary so that the communication can start and stop at any time instead of having to match

the timing governed by a clock. Applicants respectfully disagree with the Examiner.

It is respectfully submitted that neither Mattaway nor the Dictionary provides sufficient motivation or any reasonable expectation of success to one of ordinary skill in the art to modify the disclosure in Mattaway with the definition of asynchronous connection in the Dictionary. The Examiner merely relied on the general definition of asynchronous connection from the Dictionary without pointing to any specific disclosure in either reference that would have motivated one of ordinary skill in the art to combine the references. "It is impermissible to pick and choose among isolated disclosures in the prior art, through hindsight reconstruction, to show obviousness of the claimed invention." In re Fritch, 972 F.2d 1260, 1266 (1992). It is respectfully submitted that it would not have been obvious for one of ordinary skill in the art to combine Mattaway and the Dictionary to come up with the invention as claimed in claim 26. Therefore, claim 26 is patentable over Mattaway in view of the Dictionary. Withdrawal of the rejection is respectfully requested.

For at least the reason discussed above with respect to claim 26, claim 32 is patentable over Mattaway in view of the Dictionary. Withdrawal of the rejection is respectfully requested.

Claims 27-31 and 33-42 depend, directly or indirectly, from claims 26 and 32, respectively. Therefore, claims 27-31 and 33-42 are patentable over Mattaway in view of the Dictionary for at least the reason discussed above with respect to claims 26 and 32. Withdrawal of the rejection is respectfully requested.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300, x377.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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